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EL896636795US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. B-3406DIV 618993-3
Anticipated Classification
of this application
Class _____ Subclass _____
Prior application: 09/016,211
Examiner: D. Hamlin
Art Unit: 1751

jc979 U.S. PTO
09/22/92
08/08/01

JC952 U.S. PTO
08/08/01

Commissioner of Patents and Trademarks
BOX NEW PATENT APPLICATION
Washington, D.C. 20231

Sir:

CONTINUATION OR DIVISIONAL FILING UNDER 37 CFR 1.53(b)

This is a request for filing a

☐ Continuation ☒ Divisional
application under 37 CFR 1.53(b), of pending prior U.S.
Application Serial No. 09/016,211 filed on January 30, 1998, of
(1) Luis Mendez LLATAS, (2) Antonio Muñoz-Escalona LAFUENTE, (3)
Jose Sancho ROYO, (4) Pilar Lafuente CAÑAS, (5) Wilfried Michiels
VEGA, and (6) Begoña Peña GARCIA for "HETEROGENEOUS CATALYST
COMPONENTS FOR OLEFINS POLYMERIZATION, PREPARATION PROCESS AND USE
THEREOF".

1. Prior Application

☒ I hereby verify that the attached papers are a true copy
of what is shown in my records to be the above-
identified prior application, including the
specification, claims, and abstract and the oath or
declaration originally filed (see 8 for drawing
requirements.)

NOTE: Under 37 CFR 1.53(b) practice, signing and execution of the application by the applicant
may be omitted provided the application is a continuation or divisional which adds neither
new matter nor new inventors to the parent application, and a copy of the original
declaration or oath from the parent application is supplied with the new application - 37
CFR 1.63(d)(1)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as
attached therein are being deposited with the United States Postal Service on
this date August 8, 2001 in an envelope as "Express Mail Post Office to Addressee"
service under 37 CFR 1.10, Mailing Label Number EL896636795US addressed to the
"Commissioner of Patents and Trademarks
BOX NEW PATENT APPLICATION
Washington, D.C. 20231"

Karyn Lao

(Type or print name of person mailing paper)



(Signature of person mailing paper)

NOTE: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed
thereon prior to mailing - 37 CFR 1.10(b).

2. Amendments

☐ Cancel in this application original claims ____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed.

NOTE: Only amendments reducing the number of claims will be entered before calculating the final fee.

3. Fee Calculation

CLAIMS FOR FEE CALCULATION

| Number Filed | Number Extra | Rate | Basic Fee |
|--------------------|--------------|----------|-----------|
| Total | | | \$710.00 |
| Claims 16 | -20= 0 x | \$ 18.00 | 0 |
| Independent | | | |
| Claims 1 | -03= 0 x | \$ 80.00 | 0 |
| Multiple dependent | | | |
| Claim(s), if any | 0 x | \$270.00 | 0 |

☐ The fee for extra claims is not being paid at this time.

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims canceled by amendments, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 CFR 1.16(d).

Filing fee calculation \$ 710.00

4. Small Entity Status

☐ a verified statement that this is a filing by a small entity is attached.

☐ a verified statement has previously been filed in the parent application (37 CFR 1.28 (a)).

Filing fee calculation (50% of above) \$ _____

NOTE: If a verified statement is filed within two (2) months of the date of payment of the first fee then the excess fee paid will be refunded on request. Notice of January 20, 1983. 1027 TMOG 114.

5. Fee Payment Being Made At This Time

Not enclosed

☐ no filing fee is submitted. This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.

Enclosed

☒ filing fee \$ 710.00

6. Method of Payment of Fees

☒ enclosed is a check in the amount of \$ 710.00

☐ charge account number 12-0415 in the amount of \$ _____

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid - 37 CFR 1.22(b)

7. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees which may be required to Account No. 12-0415:

- ☒ 37 CFR 1.16 (filing fees and presentation of extra claims)
☒ 37 CFR 1.17 (application processing fees)
☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)).

NOTE: 37 CFR 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application...prior to paying...issue fee."

8. Drawings

- ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file. (May only be used if signed by (1) the applicant, (2) the assignee of record or (3) the attorney or agent of record authorized by 37 CFR 1.138 and before payment of issue fee.)

NOTE: DO NOT check this box if prior case is not to be abandoned.

- ☐ Transfer the following sheet(s) of drawings from the prior application to this application _____

NOTE: Transferring sheets must be cancelled in prior application 37 CFR 1.88

- ☐ New drawings are enclosed ☒ formal ☐ informal

9. Priority - 35 U.S.C. 119

- ☒ Priority of application Serial No. P9700201 filed on 1 February 1997 in the Spain is claimed under 35 U.S.C. 119.

- ☒ The certified copy has been filed in U.S. Application No. 09/016,211 filed on 30 January 1998.

10. Relate Back - 35 U.S.C. 120

Amend the specification by inserting before the first line the sentence:

This is a ☐ continuation ☒ divisional of co-pending U.S. Serial No. 09/016,211 filed on 30 January 1998.

11. Assignment

- ☒ The prior application is assigned of record to
REPSOL QUIMICA S.A.

12. Power of Attorney

The Power of Attorney in the prior application is to:
Richard P. Berg, Reg. No. 28,145; Don B. Finkelstein, Reg. No. 20,068; Colin P. Abraham, Reg. No. 32,393; Mavis S. Gallenson, Reg. No. 32,464; Kam C. Louie, Reg. No. 33,008; Don Hollingsworth, Reg. No. 25,631.

- a. ☒ The power appears in the original papers in the prior application
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☐ A new power has been executed and is attached.
- d. ☒ Address all future communications to
John Palmer, Reg. No. 36,885
LADAS & PARRY
5670 Wilshire Boulevard, Suite 2100
Los Angeles, California 90036-5679
Telephone No.: 323-934-2300
Facsimile No.: 323-934-0202
- e. ☒ An Associate Power of Attorney has been executed and is attached.


(May only be completed by applicant, or attorney or agent of record).

13. Maintenance of Copendency of Prior Application

- ☐ A petition, fee and response has been filed to extend the term in the pending prior application until _____.

14. ☒ An Information Disclosure Statement is enclosed.

August 8, 2001
Date


Signature
John Palmer
Registration No. 36,885

Address of Signatory

c/o LADAS & PARRY
5670 Wilshire Boulevard
Suite 2100
Los Angeles, Ca 90036-5679
Telephone No. (323) 934-2300
Telefax No. (323) 934-0202

- ☐ Inventor(s)
☐ Assignee of complete interest
☐ Attorney or agent of record
☒ Filed under Rule 34(a)